



12/19/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No: A-70197-1/RMS/AXG/JML

Anticipated Classification of this Application:

Class: 435

Subclass: 007.100

Prior Application

Examiner: Chris CHIN

Group Art Unit: 1641

Box PATENT APPLICATIONAssistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a request for filing a[n]

- ☐ Original
☒ Continuation
☐ Divisional
☐ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of

Chan-Long SHIEH, Barbara FOLEY, Huinan YU, and Vi-En CHOONG
 (Names of ALL Applicants)

for BIOCHANNEL ASSAY FOR HYBRIDIZATION WITH BIOMATERIAL
 (Title of Invention)

This ☒ continuation ☐ divisional ☐ continuation-in-part

claims priority to pending application Serial No. 09/438,600, filed on 12 November 1999.

1. ☐ Enclosed is a new application.
- ☐ Enclosed is a continuation-in-part application.
- ☒ Enclosed is a copy of the prior application.
2. ☐ Enclosed is a new Declaration.
- ☒ Enclosed is a copy of the prior Declaration as originally filed.
3. ☐ Applicant claims small entity status (see 37 CFR 1.27)
4. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(i) (Form PTO/SB/35)
5. ☐ Genetic Sequence Submission: Paper copy, Computer Readable Copy; Statement Verifying Identical Paper and Computer Readable Copy
6. ☐ The filing fee is calculated below:
- ☐ Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1)	(Col. 2)	SMALL ENTITY		OTHER THAN SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$370		\$740
TOTAL CLAIMS	___ - 20 =	*	× 9 =	\$	× 18 =	\$
INDEP CLAIMS	___ - 3 =	*	× 42 =	\$	× 84 =	\$
MULTIPLE DEPENDENT CLAIM PRESENTED ___ yes ___ no			+140 =	\$	+280 =	\$
If the difference in Col 1 is less than zero, enter "0" in Col. 2			TOTAL	\$	TOTAL	\$

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DATE OF DEPOSIT

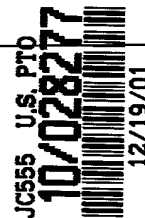
19 December 2001

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME

Darryl KRINER

SIGNED



No Fee

 12/19/01
 10/028277
 JC555 U.S. PTO

7. ☐ Our check in the amount of \$_____ is enclosed in payment of the above-calculated filing fee.
☐ The Commissioner is hereby authorized to charge the above-calculated filing fee to Deposit Account No. 06-1300 (Order No. _____).
☒ The filing fee is NOT being submitted with this transmittal letter.
8. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. _____).
9. ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
10. ☒ Amend the specification by inserting before the first line the sentence:
--This is a ☒ continuation ☐ divisional ☐ continuation-in-part
of application Serial No. 09/438,600 filed 12 November 1999.--
11. ☒ Informal drawings are enclosed. (copy as filed in parent application)
☒ Formal drawings are enclosed. (subsequently rendered to correct informalities of originally filed drawings)
12. ☐ Priority of application Serial No. _____ filed on _____ in _____ is claimed under 35 U.S.C. 119.
☐ The certified copy has been filed in prior application Serial No. _____ filed on _____.
13. ☒ The prior application is assigned of record to MOTOROLA, INC. (copy of recorded assignment enclosed)
14. ☐ The power of attorney in the prior application is to:
Name: Robin M. SILVA, et al.
Flehr Hohbach Test Albritton & Herbert LLP
Address Four Embarcadero Center - Suite 3400
San Francisco, California 94111-4187
- ☒ The power appears in the original papers in the prior application.
☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
☐ A new power has been executed and is enclosed.
Address all future communications to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Four Embarcadero Center - Suite 3400
San Francisco, California 94111-4187
Tel.: (415) 781-1989
Fax: (415) 398-3249

13. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
14. ☒ I hereby verify that the attached papers are a true duplicate of prior application Serial No. 09/438,600 as originally filed on 12 November 1999.

Date: 19 December 2001

Signature: _____



Robin M. SILVA
Reg. No. 38,304

Address of Signer:

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP
4 Embarcadero Center - Suite 3400
San Francisco, California 94111-4187
Tel.: (415) 781-1989
Fax: (415) 398-3249

☒ Attorney or agent of record

☐ Filed under Section 1.34(a)